

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

REGIONS BANK,

Plaintiff,

vs.

No. 12-cv-1013-DRH

**ROBERT A. AYRES a/k/a ROBERT AYRES,
JANET C. AYRES a/k/a JANET AYRES,
REGIONS BANK f/k/a UNION PLANTERS
BANK, N.A., UNITED STATES OF
AMERICA, EDWARDSVILLE TIMBER
LAKE HOME OWNERS ASSOCIATION,
INC., UNKNOWN OCCUPANTS,
UNKNOWN OWNERS, and NON-RECORD
CLAIMANTS,**

Defendants.

ORDER

HERNDON, Chief Judge:

On September 19, 2012, the United States of America removed this case from state court to federal court on the basis that it claimed an interest in this action to foreclose property. The United States has now filed a disclaimer and waiver of redemption rights (Doc. 8), indicating that the liens recorded as Document No. 2008R08003, Document No. 2008R30046, Document No. 2008R48081, Document No. 2009R14211, and Document No. 2009R15571 have been released, and that the United States has no interest in the subject property and hereby waives its redemption rights under 28 U.S.C. § 2410 and under any provision of the Illinois Revised Statutes. The Court being fully advised in the premises, **IT IS HEREBY ORDERED** that the United States be dismissed as a

party-defendant in the above-entitled cause, that its right of redemption under 28 U.S.C. § 2410 be waived, and that the case be remanded to state court as the reason for the Court's jurisdiction no longer exists. See *Citizens for a Better Env't*, 523 U.S. 83, 94 (1998) (quoting *Ex parte McCardle*, 74 U.S. 506 (1869)) ("Without jurisdiction the court cannot proceed at all in any cause. Jurisdiction is power to declare the law, and when it ceases to exist, the only function remaining to the court is that of announcing the fact and dismissing the cause.").

IT IS SO ORDERED.

DATE: November 6, 2012

David R. Herndon



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David R. Herndon
Date: 2012.11.06
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**Chief Judge
United States District Judge**